NATIONAL COUNCIL OF WOMEN'S ORGANIZATION STATEMENT
WHY WE NEED THE EQUAL RIGHTS AMENDMENT

"Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."

We need the ERA because **we do not have it yet!** Even in the 21st century, the U.S. Constitution still does not explicitly guarantee that all of the rights it protects are held equally by all citizens without regard to sex. The first-and still the only- right that the Constitution specifically affirms as equal for women and men is the right to vote.

We need the ERA because the **14th Amendment equal protection clause has never been interpreted to grant equal rights** on the basis of sex in the same way that the Equal Rights Amendment would. The 14thAmendment has only been applied to sex discrimination since 1971, and the Supreme Court's latest decision on that issue, regarding admission of women to Virginia Military Institute, does not move beyond the traditional assumption that males hold rights and females must prove that they hold them.

We need the ERA because until we have it, women will have to continue to fight **long, expensive, and difficult political and judicial battles** to ensure that their rights are constitutionally equal to the rights automatically granted to males on the basis of sex. And in a few cases, men will have to do the same to ensure that they have equal rights with females (usually in areas of family law).

We need the ERA because we need its **protection against a rollback of the significant advances in women's rights** over the past 50 years. Congress has the power to replace existing laws by a majority vote, and even judicial precedents can be eroded or ignored by a reactionary Supreme Court responding to a conservative political agenda. With an ERA in place, progress already made in eliminating sex discrimination would be much harder to reverse.

We need an ERA because we need **a clearer federal judicial standard for deciding cases of sex discrimination.** Lower-court decisions in the various circuits and states (some with the state ERA's and some without) still reflect much confusion and inconsistency about how to deal with sex discrimination claims.

We need an ERA because we need to **improve the standing of the United States in the world community** with respect to equal justice under the law. The governing documents of many other countries specifically affirm legal equality of the sexes (however less than perfect implementation of that ideal may be). The United States' image is also tarnished by the fact that the Senate has not ratifies the U.N. Convention on the Elimination of All forms of Discrimination Against Women (CEDAW).

We need the ERA because we **need to move beyond the struggle** for it. We need to affirm the spirit and free energies of the women and men who have spent countless hours, years, and even lifetimes working for this basic human right of equal constitutional protection regardless of sex. When we can redirect that energy and those resources to work on the challenges we face in common, we will truly have fulfilled the vision of suffragist leader and ERA author Alice Paul.

–Roberta W. Francis, NCWO ERA Task Force Chair
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